

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
ESPIRE ADS LLC, THE BLU MARKET, INC.,  
ex rel. LISA NAVARRO, THE BLU MARKET  
LLC, ex rel. LISA NAVARRO, and LISA  
NAVARRO individually,

1:21-cv-10623-JGK

Plaintiffs,

v.

TAPP MARKET INFLUENCERS, LLC, TAPP  
INFLUENCERS CORP., THE BLU  
MARKET, INC., THE BLU MARKET LLC,  
STEVEN FORKOSH, BRENNAN KASTNER,  
and JUSTIN EMERT,

NOTICE OF MOTION

Defendants

-----X

PLEASE TAKE NOTICE that Defendants will move this Court, before the Honorable John G. Koeltl at the United States District Court for the Southern District of New York, at the United States Courthouse, 500 Pearl Street, Courtroom 14A, New York, NY 10007-1312, on a date and time designated by the Court, to dismiss the first amended complaint pursuant to Rules 9(b) and 12 (b)(2),(3),(6)and (7) of the Federal Rules of Civil Procedure.

Defendants respectfully request oral argument at a time and place to be determined by the Court.

Dated: New York, New York  
April 30, 2022

Richard L. Herzfeld, P.C.

*Richard L. Herzfeld*

By: RICHARD L. HERZFELD  
Attorneys for Defendants  
112 Madison Avenue  
8<sup>th</sup> Floor  
New York, New York 10016  
(212) 818-9019  
RHERZFELD@HERZFELDLAW.COM